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Alexandria, VA 22313-1450

By: Ron Anton

Ron Anton

Appln. No.	:	09/724,570	Confirmation No. 6101
Applicant	:	Dale B. Schenk	
Filed	:	November 28, 2000	
TC/A.U.	:	16/1647	
Examiner	:	Christopher Nichols	
Docket No.	:	015270-005914US	
Customer No.	:	20350	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

#### **INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97 and §1.98**

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/585,817, filed June 1, 2000 (Attorney Docket No. 015270-005910US), excepting reference numbers 360-361, 363-366, 369-376, 395, and 397-410, copies of which are submitted herewith. Copies of reference numbers 362, 367-368, 386 and 392 are not provided as the Examiner cited these references on the PTO-892 form attached to the Office Action mailed July 25, 2003.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The Attached PTO/SB/08B form cites "Grant Application; Raso, Immunology of Alzheimer's Disease', 1/1998," cited by the Examiner in Application No. 09/579,690, is submitted herewith as cite no. 304. Application No. 09/579,690 is a commonly owned copending application directed to subject matter related to the instant application. Applicant believes "1/1998" is not the publication date as alleged by the Examiner, but refers to the grant funding cycle. Applicants' further believe the date of public accessibility, if any, is unknown. Applicant wishes to bring to the Examiner's attention that a copy of a grant application believed to have been submitted by Victor Raso for NIH Grant 1 R43 AGI 5746-01 on August 29, 1997 is cited on the attached PTO/SB/08B form as cite no. 144. Cite no. 144 is a redacted version of cite no. 304. Applicant obtained cite no. 144 under the Freedom of Information Act (FOIA). It is believed that the grant proposal would not have been accessible under FOIA before April 2, 1998, but the exact date of public accessibility, if any, is not known to Applicant.

The Assignee of the instant application is a licensee of U.S. Patent No. 5,688,651, which is directed in part to subject matter related to the instant application. U.S. Patent No. 5,688,651 is now undergoing examination reissue as Application No. 09/441,140. U.S. Patent No. 5,688,651 and U.S. Application No. 09/441,140 are submitted herewith as Cite Nos. 16 and 283, respectively.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98;  
09/497,553 filed 02/03/00;  
09/724,477 filed 11/28/00;  
09/723,927 filed 11/28/00;  
09/724,762 filed 11/28/00;  
09/724,102 filed 11/28/00;  
09/724,489 filed 11/28/00;  
09/322,289 filed 05/28/99;

09/723,713 filed 11/27/00;  
09/723,760 filed 11/27/00;  
09/724,319 filed 11/27/00;  
09/723,384 filed 11/27/00;  
09/724,495 filed 11/27/00;  
10/429,216 filed 05/30/03;  
09/580,015 filed 05/26/00;  
09/724,940 filed 11/28/00;  
09/724,961 filed 11/28/00;  
09/580,018 filed 05/26/00;  
09/724,552 filed 11/28/00;  
09/723,544 filed 11/28/00;  
09/724,273 filed 11/28/00;  
09/724,551 filed 11/28/00;  
09/724,288 filed 11/28/00;  
09/580,019 filed 05/26/00;  
09/723,765 filed 11/28/00;  
09/724,291 filed 11/28/00;  
09/204,838 filed 12/03/98;  
09/724,929 filed 11/28/00;  
09/585,817 filed 06/01/00;  
09/724,567 filed 11/28/00;  
09/724,575 filed 11/28/00;  
09/724,953 filed 11/28/00;  
09/724,570 filed 11/28/00;  
09/585,656 filed 06/01/00;  
09/723,766 filed 11/27/00;  
09/723,725 filed 11/27/00;  
09/579,690 filed 05/26/00;  
09/979,701 filed 03/13/01 (U.S. National Stage of PCT/US00/14810 filed 05/26/00);

09/979,952 filed 04/04/02 (U.S. National Stage of PCT/US00/15239 filed 06/01/00);  
and,

09/980,568 filed 03/12/02 (U.S. National Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related subject matter but subject to different assignment:

10/010,942 filed 12/06/01;  
10/232,030 filed 08/30/02;  
10/388,389 filed 03/12/03;  
60/444,150 filed 02/01/03;  
10/388,214 filed 03/12/03; and,  
60/474,654 filed 05/30/03.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;  
60/080,970 filed 04/07/98;  
60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/724,921 filed 11/28/00;  
60/137,010 filed 06/01/99;  
60/137,047 filed 06/01/99; and,  
60/136,655 filed 05/28/99.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00; and,  
60/363,751 filed 03/12/02.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

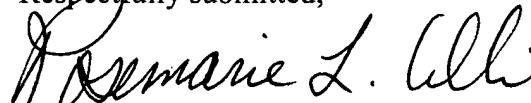
60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00; and,  
09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

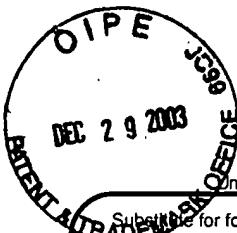
This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Rosemarie L. Celli  
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RLC:crf



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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 24

Complete if Known

Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols
Attorney Docket Number	015270-005914US

### U.S. PATENT DOCUMENTS

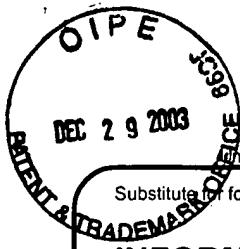
Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	360	2003/0073655 A1	04-17-2003	Chain	
	370	2003/0068325 A1	04-10-2003	Wang	
	378	2002/0197258 A1	12-26-2003	Ghanbari et al.	
	366	2002/0187157 A1	12-12-2002	Jensen et al.	
	377	2002/0168377 A1	11-14-2002	Schaetzl	
	340	2002/0162129 A1	10-31-2002	Lannfelt	
	395	2002/0160394 A1	10-31-2002	Wu	
	326	2002/0136718 A1	09-26-2002	Raso	
	379	2002/0132268 A1	09-19-2002	Chang et al.	
	365	2002/0133001 A1	09-19-2002	Gefter et al.	
	325	2001/0102261 A1	08-01-2002	Raso	
	362	2002/0094335 A1	07-18-2002	Chalifour et al.	
	306	6,417,178 B1	07-09-2002	Klunk et al.	
	376	2002/0086847 A1	07-04-2002	Chain	
	405	6,399,314 B1	06-04-2002	Krishnamurthy	
	342	2002/0009445 A1	01-24-2002	Du et al.	
	267	6,294,171 B2	09-25-2001	McMichael	
	381	2001/0021769 A1	09-13-2001	Prusiner	
	401	6,284,533 B1	09-04-2001	Thomas	
	234	6,284,221 B1	09-04-2001	Schenk, et al.	
	300	2001/0018053 A1	08-30-2001	McMichael	
	230	6,262,335 B1	07-17-2001	Hsiao et al.	
	345	2002/0077288 A1	06-21-2001	Frangione	
	196	6,150,091	11-21-2000	Pandolfo et al.	
	231	6,114,133	09-05-2000	Seubert et al.	
	1	6,057,367	05-02-2000	Stamler et al.	
	221	5,989,566	11-23-1999	Cobb et al.	
	2	5,958,883	09-28-1999	Snow	
	3	5,955,317	09-21-1999	Suzuki et al.	
	4	5,955,079	09-21-1999	Mond et al.	
	346	5,935,927	08-10-1999	Vitek et al.	
	5	5,877,399	03-02-1999	Hsiao et al.	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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60106599 v1



Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 24

### Complete if Known

Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols
Attorney Docket Number	015270-005914US

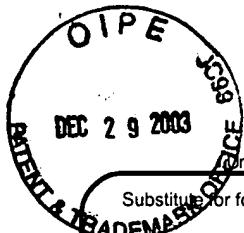
6	5,869,093	02-09-1999	Weiner et al.
7	5,869,054	02-09-1999	Weiner et al.
8	5,854,204	12-29-1998	Findeis et al.
9	5,851,996	12-22-1998	Kline
10	5,849,298	12-15-1998	Weiner et al.
382	5,846,533	12-08-1998	Prusiner
321	5,837,672	11-17-1998	Schenk et al.
11	5,837,473	11-17-1998	Maggio et al.
353	5,824,322	10-20-1998	Balasubramanian
12	5,786,180	07-28-1998	Konig et al.
207	5,780,587	07-14-1998	Potter
357	5,776,468 B1	07-07-1998	Hauser et al.
13	5,753,624	05-19-1998	McMichael et al.
380	5,750,361	05-12-1998	Prusiner et al.
14	5,750,349	05-12-1998	Suzuki et al.
197	5,744,368	04-28-1998	Goldgaber et al.
211	5,736,142	04-07-1998	Sette et al.
15	5,733,547	03-31-1998	Weiner et al.
373	5,721,130	02-24-1998	Seubert et al.
16	5,688,651	11-18-1997	Solomon
17	5,679,348	10-21-1997	Nesburn et al.
18	5,645,820	07-08-1997	Hafler et al.
19	5,641,474	06-24-1997	Hafler et al.
20	5,641,473	06-24-1997	Hafler et al.
356	5,622,701	04-22-1997	Berg
21	5,612,486	03-18-1997	McConlogue et al.
22	5,605,811	02-25-1997	Seubert et al.
320	5,593,846	01-14-1997	Schenk et al.
23	5,585,100	12-17-1996	Mond et al.
358	5,583,112 B2	12-10-1996	Kensil et al.
24	5,571,500	11-05-1996	Hafler et al.
25	5,571,499	11-05-1996	Hafler et al.
403	5,464,823	11-07-1995	Lehrer et al.
175	5,441,870	08-15-1995	Seubert, et al.
26	5,434,170	07-18-1995	Andrulis, Jr.

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 24

*C mplete if Known*

Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols
Attorney Docket Number	015270-005914US

27	5,387,742	02-07-1995	Cordell
181	5,270,165	12-14-1993	Van Nostrand et al.
284	5,231,170	07-27-1993	Averback
28	5,231,000	07-27-1993	Majocha et al.
29	5,220,013	06-15-1993	Ponte et al.
30	5,208,036	05-04-1993	Eppstein et al.
31	5,192,753	03-09-1993	McGeer et al.
32	5,187,153	02-16-1993	Cordell et al.
33	5,057,540	10-15-1991	Kensil et al.
198	5,004,697	04-20-1991	Pardridge
402	4,713,366	12-15-1987	Stevens
34	4,666,829	05-19-1987	Glenner et al.

### U.S. PATENT DOCUMENTS

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	296	60/254,465	12-08-2000	Holtzman et al.	
	297	60/254,498	12-08-2000	Holtzman et al.	
	305	09/724,842	11-28-2000	Chalifour et al.	
	295	60/184,601	02-24-2000	Holtzman et al.	
	282	60/169,687	12-08-1999	Chain	
	242	60/168,594	11-29-1999	Chalifour et al.	
	283	09/441,140	11-16-1999	Solomon et al.	
	299	60/186,295	03-01-2000	Rasmussen et al.	

### FOREIGN PATENT DOCUMENTS

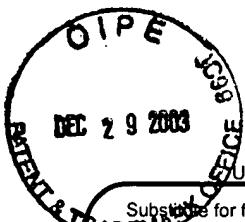
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
343	EP	1 172 378	A1	01-16-2002				
35	EP	911 036	A2	04-28-1999				
36	EP	868 918	A2	10-07-1998				
37	EP	863 211	A1	09-09-1998				
38	EP	845 270	A1	06-03-1998				
39	EP	782 859	A1	07-09-1997				

Examiner Signature	Date Considered
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

4

of

24

Complete if Known

Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols
Attorney Docket Number	015270-005914US

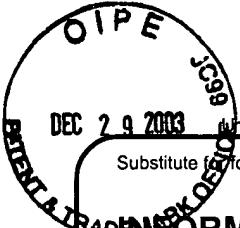
40	EP	683 234	A1	11-22-1995		
41	EP	666 080	A1	08-09-1995		
42	EP	652 962	B1	12-16-1998		
43	EP	639 081	B1	11-03-1999		
44	EP	613 007	A2	08-31-1994		
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46	EP	561 087	B1	08-04-1999		
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49	EP	451 700	A1	10-16-1991		
50	EP	440 619	B1	01-24-1996		
51	EP	359 783	B1	11-29-1995		
52	EP	276 723	B1	12-08-1993		Yes
187	EP	783 104	A1	07-09-1997		
351	WO	02/34878	A2	05-02-2002		
352	WO	02/34777	A1	05-02-2002		
341	WO	02/03911	A2	04-07-2001		
344	WO	01/90182	A2	11-29-2001		
348	WO	01/77167	A2	10-18-2001		
294	WO	01/62801	A2	08-30-2001		
301	WO	01/62284	A2	03-01-2000		
298	WO	01/42306	A2	06-14-2001		
243	WO	01/39796	A2	06-07-2001		
199	WO	00/77178	A1	12-21-2000		
322	WO	00/72880	A2, A3	12-07-2000		
323	WO	00/72876	A2, A3	12-07-2000		
324	WO	00/72870	A1	12-07-2000		
240	WO	00/43039	A1	07-27-2000		
188	WO	00/43049	A1	07-27-2000		
53	WO	99/60024	A1	11-25-1999		
54	WO	99/60021	A2	11-15-1999		
55	WO	99/58564	A1	11-18-1999		
56	WO	99/06066	A2	02-11-1999		
57	WO	99/27949	A1	06-10-1999		
58	WO	99/27944	A1	06-10-1999		

Examiner Signature	Date Considered
--------------------	-----------------

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PTO/SB/08A (10-01)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 24

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Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols

Attorney Docket Number

015270-005914US

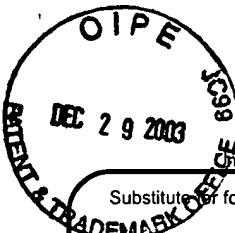
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61	WO	98/07850	A2	02-26-1998			
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73	WO	93/21950	A1	11-11-1993			
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79	WO	92/06708	A1	04-30-1992			
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84	WO	91/08760	A1	06-27-1991			

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Sheet 6 of 24

**Complete if Known**

Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols
Attorney Docket Number	015270-005914US

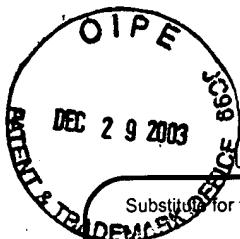
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Art Unit	1647
Examiner Name	Christopher Nichols
Attorney Docket Number	015270-005914US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS		
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	391	AGUZZI et al., "Prion research: the next frontiers," <u>Nature</u> , 389:795-798 (1997).
	393	AKIYAMA et al., "Inflammation and Alzheimer's disease," <u>Neurobiology of Aging</u> , 21:383-421 (2000).
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	94	ANDERSEN et al., "Do nonsteroidal anti-inflammatory drugs decrease the risk for Alzheimer's disease?", <u>Neurology</u> , 45:1441-1445 (1995).
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	176	BARD et al., "Peripherally administered antibodies against amyloid $\beta$ -peptide enter the central nervous system and reduce pathology in a mouse model of Alzheimer disease," <u>Nature Medicine</u> , 6(8):916-919 (2000).
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	96	BAUER et al., "Interleukin-6 and $\alpha$ -2-macroglobulin indicate an acute-phase state in Alzheimer's disease cortices," <u>FEBS Letters</u> , 285(1):111-114 (1991).
	239	BEASLEY, "Alzheimer's traced to proteins caused by aging," <u>Reuters</u> , April 20, 2001 7:56 PM ET.
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	204	BERCOVICI et al., "Chronic Intravenous Injections of Antigen Induce and Maintain Tolerance in T Cell Receptor-Transgenic Mice," <u>Eur. J. Immunol.</u> , 29:345-354 (1999).
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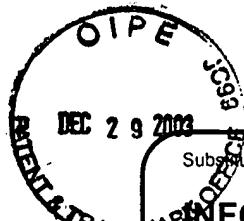
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97	BLASS, "Immunologic Treatment of Alzheimer's Disease," <u>New England J. Medicine</u> , 341(22):1694 (1999).	<input type="checkbox"/>
98	BODMER et al., "Transforming Growth Factor-Beta Bound to Soluble Derivatives of the Beta Amyloid Precursor Protein of Alzheimer's Disease," <u>Biochem. Biophys. Res. Comm.</u> , 171(2):890-897 (1990).	<input type="checkbox"/>
99	BORCHELT et al., "Accelerated Amyloid Deposition in the Brains of Transgenic Mice Coexpressing Mutant Presenilin 1 and Amyloid Precursor Proteins," <u>Neuron</u> , 19: 939-945 (1997).	<input type="checkbox"/>
100	BORIS-LAWRIE et al., "Recent advances in retrovirus vector technology," <u>Cur. Opin. Genetic Develop.</u> , 3: 102-109 (1993).	<input type="checkbox"/>
101	BRICE et al., "Absence of the amyloid precursor protein gene mutation (APP717 : Val->Ile) in 85 cases of early onset Alzheimer's disease," <u>J. Neurology, Neurosurg. Psychiatry</u> , 56:112-115 (1993).	<input type="checkbox"/>
327	CAMERON, "Recent Advances in Transgenic Technology," <u>Molecular Biotechnology</u> , 7:253-265 (1997).	<input type="checkbox"/>
285	CAPUTO et al., "Therapeutic approaches targeted at the amyloid proteins in Alzheimer's disease," <u>Clin. Neuropharm.</u> , 15:414A-414B (1992).	<input type="checkbox"/>
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102	CHAO et al., "Transforming Growth Factor- $\beta$ Protects human Neurons Against $\beta$ -Amyloid-Induced Injury," <u>Soc. Neurosci. Abstracts</u> , 19:513-7 (1993).	<input type="checkbox"/>
266	CHAPMAN, "Model behavior," <u>Nature</u> , 408:915-916 (2000).	<input type="checkbox"/>
349	CHECK, "Battle of the Mind," <u>Nature</u> , 422:370-372 (March 2003).	<input type="checkbox"/>
222	Chemical Abstract database, Abstract of "Injection of Newborn Mice with Seven Chemical Adjuvants to Help Determine Their Safety in Use in Biologicals," Chemical Abstract database. (Publication date unknown.)	<input type="checkbox"/>
332	CHEN et al., "Neurodegenerative Alzheimer-like pathology in PDAPP 717V $\rightarrow$ F transgenic mice," <u>Progress in Brain Research</u> , Van Leeuwen et al. Eds, 117:327-337 (1998).	<input type="checkbox"/>
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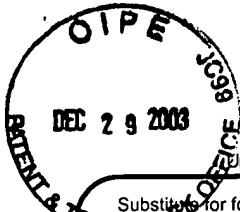
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Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols

Attorney Docket Number

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245	FRENKEL et al., "High affinity binding of monoclonal antibodies to the sequential epitope EFRH of $\beta$ -amyloid peptide is essential for modulation of fibrillar aggregation," <u>J. of Neuroimmunology</u> , 95:136-142 (1999).	
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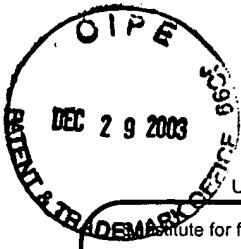
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				Examiner Name	Christopher Nichols
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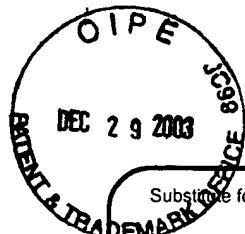
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Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols

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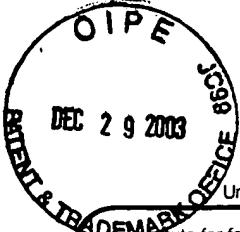
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				Examiner Name	Christopher Nichols
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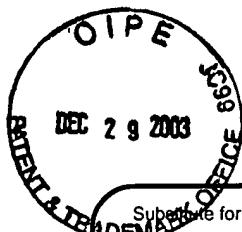
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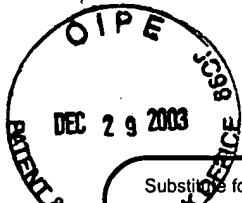
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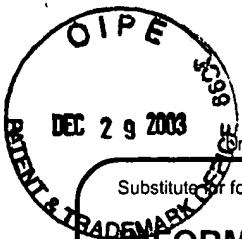
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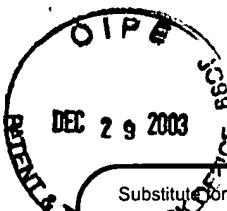
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Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols

Attorney Docket Number

015270-005914US

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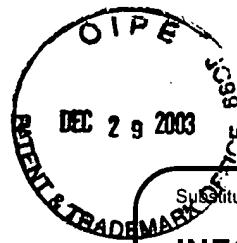
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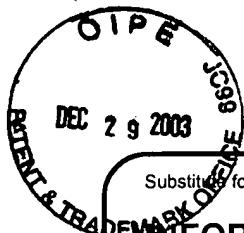
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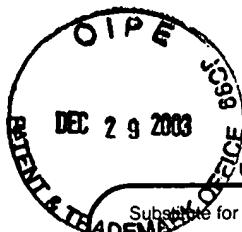
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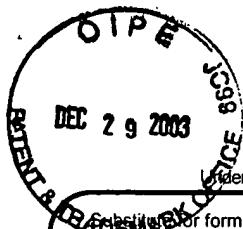
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Sheet	23	of	24	Attorney Docket Number	015270-005914US
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### Complete if Known

Application Number	09/724,570
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Art Unit	1647
Examiner Name	Christopher Nichols

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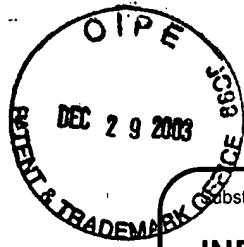
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